



General Assembly

February Session, 2004

Raised Bill No. 5386

LCO No. 1481

* _____HB05386HS_APP030404_____*

Referred to Committee on Human Services

Introduced by:
(HS)

***AN ACT CONCERNING THE PLACEMENT OF LIENS ON THE REAL
PROPERTY INTERESTS OF RECIPIENTS OF GENERAL ASSISTANCE
AND STATE-ADMINISTERED GENERAL ASSISTANCE.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 17b-125 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 (a) No resident of a town shall be deemed to be ineligible to receive
4 relief from such town or state-administered general assistance by
5 reason of having an interest in real property, provided such real
6 property (1) is maintained as such resident's primary home or (2)
7 would not be counted in determining eligibility for assistance under
8 the state supplement program, medical assistance program, temporary
9 family assistance program or food stamps program, [and provided
10 such resident shall deliver to such town, through its board of
11 selectmen, an agreement executed and acknowledged in the form and
12 manner required for the transfer of an interest in real property to
13 reimburse such town for all amounts so paid to such resident or
14 expended by such town on his behalf for maintenance, care or support,
15 with interest at the rate of four per cent per annum. Such agreement

16 shall describe by metes and bounds, and by street number and lot
17 number, if any, the real property in which such beneficiary has an
18 interest and shall be recorded in the land records of the town or towns
19 in which such real property is located, and shall constitute a lien on
20 such real property which may, at any time during which such amounts
21 remain unpaid, be foreclosed in an action brought by such town in a
22 court of competent jurisdiction, and such lien shall have precedence
23 over all subsequently recorded encumbrances, except tax liens or other
24 municipal liens of such towns. Such lien shall be released by such town
25 by its board of selectmen upon payment of the amount, plus interest,
26 by it secured. The board of selectmen of such town is authorized to
27 adjust, remit or cancel, in whole or in part, any interest accruing under
28 such lien, provided such procedure shall be deemed necessary and
29 beneficial to such town by such selectmen and shall be so voted at a
30 meeting of such selectmen and a record of such vote entered in the
31 minutes of the meetings of such board. Such board of selectmen is also
32 authorized to release such lien without payment of the amount
33 secured thereby, in whole or in part, provided such procedure shall be
34 deemed necessary and beneficial to the town by such selectmen and
35 shall be so voted at a meeting of such selectmen and a record of such
36 vote entered in the minutes of the meetings of such board. Upon the
37 sale, after foreclosure, of such real estate, or any part thereof, and after
38 complete satisfaction to such town of the amount secured by such lien,
39 plus interest, together with all costs and expenses, any balance
40 remaining shall be paid over by such selectmen to such resident or, if
41 he is deceased, to his estate. The board of selectmen of such town is
42 authorized to execute, in behalf of the town, all releases, deeds and
43 other instruments necessary to carry out the provisions of this section.
44 Upon written request therefor, the selectmen shall forthwith issue to
45 the applicant a statement of the amount due to be paid to cancel such
46 lien. No such lien shall be valid and enforceable after the expiration of
47 forty years from the date it was recorded.

48 (b) Any lien created pursuant to the provisions of subsection (a) of
49 this section after October 1, 1964, shall continue to be valid and

50 enforceable notwithstanding the expiration of fifteen years from the
51 date it was recorded.]

52 (b) Any lien placed on the real property interest of a recipient of
53 town relief or state-administered general assistance, in accordance
54 with the provisions of this section, shall cease to be valid and shall be
55 deemed to have been released on October 1, 2004.

This act shall take effect as follows:	
Section 1	October 1, 2004

HS

Joint Favorable C/R

APP